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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Takemitsu Honda, et al.

Examiner:

John P. Leubecker

Serial No:

10/814,078

Art Unit:

3739

Filed:

March 31, 2004

Docket:

17590

For:

IN-BODY INFORMATION ACQUIRING APPARATUS

Dated:

March 5, 2007

AND POWER-SUPPLY CIRCUIT

Conf. No.: 5514

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO COMBINED RESTRICTION REQUIREMENT AND SPECIES ELECTION

Sir:

Pursuant to the restriction requirement imposed in the Official Action dated October 5, 2006, Applicants elect the claims of Group II, claims 13-16 and 20-22 for continued prosecution herein.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date set forth below.

Dated: March 5, 2007

Thomas Spinelli

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Claims 1-22 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. § 121. Specifically, the Official Action avers that the following inventions are present in the claims:

Group I, Claims 1-12 and 17-19, drawn to a power converter, classified in class 363, subclass 21.01; and

Group II, Claims 13-16 and 20-22, drawn to a switch, classified in class 320, subclass 135.

It is the Examiner's position that the inventions listed as Groups I and II are distinct from each other.

Furthermore, the Official Action avers that the following patentably distinct species of the claimed invention are present in the claims:

Species (1), readable on cells connected in parallel; and

Species (2), readable on cells connected in series.

It is also the Examiner's position that the species listed as Species (1) and (2) are patentably distinct from each other. The Examiner indicates that claims 1, 2, 11 and 12 are generic and that a species election is only necessary if the invention of Group I is elected.

In response to the Examiner's requirements for restriction and species election, Applicants elect to prosecute the subject matter of Group II, claims 13-16 and 20-22. Since Group I is not being elected, no Species election is being made. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter in this application.

Although, no Species election is being made herein, Applicants respectfully submit that claims 17-19 are also generic since the same are related to both of the identified species (cells connected in parallel and cells connected in series).

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,

Thomas Spinelly

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